IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS BEAUMONT DIVISION

WILLIAM DAVID WHITE, and	§	
DEBBIE WHITE	§	
	§	
Plaintiffs,	§	
	§	
V.	§	
	§	
ALLSTATE TEXAS LLOYD'S, and	§	
ALLSTATE TEXAS LLOYD'S, INC.	§	
	§	NO. 1:07-CV-238
Defendants/Third-Party Plaintiffs,	§	
	§	
V.	§	
	§	
VANDERBILT MORTGAGE AND	§	
FINANCE, INC.	§ §	
	§	
Third-Party Defendant.	§	

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

The court referred this matter to the Honorable Earl S. Hines, United States Magistrate Judge, for pretrial proceedings pursuant to a Referral Order entered on April 30, 2007. The court has received and considered the report of the United States magistrate judge, who recommends that the court grant (1) plaintiffs' motion to dismiss, with prejudice, their claims against defendants, and (2) defendants' motion to dismiss, without prejudice, their third-party complaint against Vanderbilt Mortgage and Finance, Inc.

No objections to the magistrate judge's findings and recommendations have been filed in the time and manner required by 28 U.S.C. § 636(b)(1)(C) and Rule 72, Federal Rules of Civil

Procedure. In addition, the court's independent review confirms the correctness of the magistrate judge's proposed disposition. Accordingly, it is **ORDERED**:

- 1. The magistrate judge's report is hereby **ADOPTED**;
- 2. The parties' joint motion to dismiss (Docket Nos. 29 & 34) is **GRANTED**;
- 3. A final judgment will be entered separately; and
- 4. The purpose of the referral having been served, reference to the magistrate judge is **VACATED**.

SIGNED this the 10 day of October, 2008.

Thad Heartfield

United States District Judge